

**Statement of Robert L. Vaught
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USDA Forest Service**

**Before the House Committee on Resources
United States House of Representatives
Concerning
"Jarbidge River Population of Bull Trout – Truly Threatened?"**

**Saturday July 27, 2002
Elko, Nevada**

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to be with you today to discuss the management of the Jarbidge watershed in the Jarbidge Ranger District of the Humboldt-Toiyabe National Forest. My name is Bob Vaught. I am the Forest Supervisor for the Humboldt-Toiyabe National Forest.

I will defer to the Fish and Wildlife Service to address your questions concerning the listing of the bull trout. Today, I will focus my comments on the management of National Forest System lands in the Jarbidge watershed, home to the southern most population of bull trout. I will also comment on the Forest Service's efforts to work with Elko County and local individuals concerned about the management of the National Forest.

Prior to the 1999 listing of the bull trout as a threatened species under the Endangered Species Act, the Forest Service had undertaken several management actions aimed at improving the aquatic habitat in the Jarbidge River watershed. These actions included:

1. Implementation of vegetative utilization standards on all nine grazing allotments within Jarbidge River sub-watersheds;
2. Replacement of a culvert with a bridge to restore fish passage between the West Fork of the Jarbidge River and Jack Creek;
3. Fencing of several upland springs and portions of river and creek bottoms to protect riparian areas from the impacts of cattle;

4. Implementation of reclamation and erosion control measures for ceased mining operations; and
5. Collaboration with Elko County to close the Jarbidge municipal landfill and issuance to the County of a special use permit for a transfer station that comports with regulatory requirements of the Nevada Division of Environmental Protection.

In 1995, a high water event in the Jarbidge River canyon washed out portions of the South Canyon Road and caused the river to cut a new channel where the road once ran. This event stimulated much discussion concerning the future of the road, access to portions of the National Forest and the general health of the aquatic ecosystem.

In 1997, the Regional Forester reviewed on appeal a decision to rebuild the road and remanded the decision to the Humboldt-Toiyabe National Forest for further analysis on the effects to the bull trout and other aquatic species from road construction and from possible future road failure. The Fish and Wildlife Service in April 1999 listed the bull trout as a threatened species. The listing requires the Forest Service to consult with the Fish and Wildlife Service on agency action, such as construction or reconstruction.

In November 1999, when the House Committee on Resources Subcommittee on Forests and Forest Health conducted a field hearing in Elko, the United States and Elko County were engaged in discussions concerning the fate of a washed-out portion of the South Canyon Road along the West Fork of the Jarbidge River. Today, following a federal district court settlement agreement signed in April, 2001, I am please to inform you Mr. Chairman that the Forest Service and Elko County are diligently working together to implement the provisions of this agreement.

The Settlement Agreement spells out the working relationship between the parties to the Agreement: John Carpenter, Elko County, the State of Nevada's Division of Environmental Protection, and the agencies of the United States, the Fish and Wildlife Service, the Environmental Protection Agency, and USDA Forest Service. The Agreement provides Elko County with the opportunity to submit a proposal to the Forest Service to reestablish the South Canyon Road and requires the completion of certain watershed improvement projects. The Agreement further provides that the Forest Service study the road reconstruction and watershed projects following established agency procedures for environmental analysis.

Let me give you an example of how committed Elko County and the Forest Service are to working together. A portion of the Settlement Agreement identifies the need for interim work on the South Canyon Road to prevent erosion. Last Saturday, citizen volunteers, Elko County Commissioners and staff, and Forest Service workers, nearly 20 people in all, worked side-by-side on a short-term measure to armor stream banks in an effort that will reduce the amount of sediment reaching the West Fork of the Jarbidge River.

During the fall of 2001, contract biologists, hydrologists and soil scientist, collected data on the condition of the Jarbidge watershed. These inventories represent the most recent and complete data available to the Forest Service and will be used during the environmental analysis. In March 2002, the Forest Service issued a Notice of Intent to evaluate the effects of several alternatives for road reconstruction, and watershed and aquatic habitat improvement projects. A series of public meetings were held this spring and work has begun on a draft Environmental Impact Statement. Elko County as a cooperating agency is working closely with the Forest Service in the environmental analysis process. They submitted a proposal for road reconstruction to the Forest Service this past June. A Final Environmental Impact Statement expected next spring.

As required by law (the National Environmental Policy Act, the National Forest Management Act, and the Endangered Species Act, and others) and regulations, the Forest Service will consult with the Fish and Wildlife Service to guarantee that any action in the South Jarbidge Canyon will not jeopardize the continued existence of the listed bull trout. The Forest Service asked the Fish and Wildlife Service to be a cooperating agency during the environmental analysis process. The Service agreed. Working closely in this manner will ensure the Service fully understands the project and potential impacts to the listed species, and allow them to provide input to the alternatives to be evaluated.

In conclusion, the Forest Service remains committed to working with the cooperating agencies and keeping the interested publics informed of the progress we are making on the environmental analysis and we are also committed to following the laws and regulations governing the environmental analysis.

Mr. Chairman, this concludes my statement. I will be happy to answer any questions you may have.